

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

JPMORGAN CHASE BANK, N.A.,

Plaintiff,

v.

CHARLIE JAVICE, OLIVIER AMAR,
CHARLIE JAVICE, in her capacity as Trustee
of CHARLIE JAVICE 2021 IRREVOCABLE
TRUST #1, CHARLIE JAVICE, in her
capacity as Trustee of CHARLIE JAVICE
2021 IRREVOCABLE TRUST #2, and
CHARLIE JAVICE in her capacity as Trustee
of CHARLIE JAVICE 2021 IRREVOCABLE
TRUST #3,

Defendants.

C.A. No. 22-01621-MN

**JPMC’S MOTION TO DISMISS AND COMPEL ARBITRATION OF
CHARLIE JAVICE’S COUNTERCLAIMS, OR ALTERNATIVELY
TO STAY COUNTERCLAIMS IN FAVOR OF ARBITRATION**

Plaintiff JPMorgan Chase Bank, N.A. (“JPMC”) hereby moves to compel arbitration of the Counterclaims filed by Defendant Charlie Javice on February 27, 2023, and for dismissal of the Counterclaims, under Federal Rule of Civil Procedure 12(b)(6), or, in the alternative, for a stay of the Counterclaims in favor of arbitration. The grounds in support of this motion are set forth in JPMC’s Opening Brief and the Declaration of Tibor L. Nagy, Jr. filed concurrently herewith and upon the papers, records and pleadings on file with the Court.

Respectfully Submitted,

POTTER ANDERSON & CORROON LLP

OF COUNSEL:

Tibor L. Nagy, Jr.
Tracy O. Appleton
Jason A. Kolbe
DONTZIN NAGY & FLEISSIG LLP
980 Madison Avenue
New York, NY 10075
(212) 717-2900
tibor@dnflp.com
tappleton@dnflp.com
jkolbe@dnflp.com

William M. Regan
Allison M. Wuertz
HOGAN LOVELLS US LLP
390 Madison Avenue
New York, NY 10017
(212) 918-3000

Dated March 20, 2023

By: /s/ Jonathan A. Choa
Peter J. Walsh, Jr. (#2437)
Michael A. Pittenger (#3212)
Jonathan A. Choa (#5319)
Carla M. Jones (#6046)
Hercules Plaza
P.O. Box 951
Wilmington, DE 19899
(302) 984-6000
mpittenger@potteranderson.com
pwalsh@potteranderson.com
jchoa@potteranderson.com
cjones@potteranderson.com

Attorneys for JPMorgan Chase Bank, N.A.